

HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

HENDRICKS & LEWIS, PLLC,

Plaintiff,

1

GEORGE CLINTON,

Defendant.

No. C12-0841RSL

STIPULATION AND AGREED
ORDER TERMINATING
RECEIVERSHIP, DISCHARGING
RECEIVER, AND FOR RELATED
RELIEF

STIPULATION

Gayle E. Bush (the “Receiver”), court-appointed receiver in the above-captioned case, George Clinton (“Clinton”), and Hendricks & Lewis, PLLC (“H&L”, and, collectively with the Receiver and Clinton, the “Parties”), as evidenced by the signatures of their counsel below, stipulate and agree as follows:

STIPULATION AND AGREED ORDER – Page 1

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1 1. The two judgments entered in favor of plaintiff H&L and against Clinton
2 in this District in *Hendricks & Lewis PLLC v. Clinton*, Case No. C10-02530-JCC—the
3 first, in the amount of \$1,675,639.82, entered on May 28, 2010, and the second, in the
4 amount of \$60,786.50, entered on July 19, 2010 (the “Judgments”) —have been fully
5 satisfied.

6 2. Bush Kornfeld LLP, counsel for the Receiver, holds in its trust account
7 (the “Trust Account”) \$64,335.10.

8 3. The Parties agree that \$54,335.10 of the funds held in the Trust Account
9 shall be released to Bush Kornfeld LLP, to be distributed on a pro rata basis to that firm
10 and K&L Gates, the Receiver’s special counsel in full satisfaction of the fees and costs
11 of the Receiver and his professionals.

12 4. The Parties agree that the remaining \$10,000.00 in the Trust Account
13 shall be distributed to Clinton.

14 5. The Parties agree that any funds receivable or received on or after May 1,
15 2017, for licensing any of the master sound recordings of the Funkadelic albums
16 “Hardcore Jollies,” “One Nation Under A Groove,” “Uncle Jam Wants You,” and “The
17 Electric Spanking of War Babies” (the “Recordings”) by the Receiver during the
18 Receivership, shall be paid to Clinton.

19 6. The Parties agree to the termination of the Receivership and discharge of
20 the Receiver and his professionals.

21 STIPULATION AND AGREED ORDER – Page 2

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1 DATED this 17th day of May, 2017.

2	BOOTH SWEET LLP	BUSH KORNFELD LLP
3	Approved for signature by telephone on May 17, 2017	
4	By <u>/s/ Dan Booth</u> Dan Booth (MA Bar No. 672090) Attorneys for Defendant George Clinton <i>Admitted Pro Hac Vice</i> 32R Essex Street Cambridge, MA 02139 Telephone: (617) 250-8602 Facsimile: (617) 250-8883 Email: dbooth@boothsweet.com	By <u>/s/ Katriana L. Samiljan</u> Katriana L. Samiljan, WSBA #28672 Attorneys for Gayle E. Bush, Receiver 601 Union Street, Suite 5000 Seattle, WA 98101 Telephone: (206) 292-2110 Facsimile: (206) 292-2110 Email: ksamiljan@bskd.com
9	HENDRICKS & LEWIS PLLC	K&L GATES
10	Approved for signature by email on May 16, 2017	Approved for signature by email on May 16, 2017
11	By <u>/s/ Katherine Hendricks</u> Katherine Hendricks, WSBA No. 14040 Attorneys for Plaintiff Hendricks & Lewis PLLC 901 Fifth Avenue, Suite 4100 Seattle, WA 98164 Telephone: (206) 624-1933 Facsimile: (206) 583-2716 Email: kh@hllaw.com	By <u>/s/ Mark H. Wittow</u> Mark H. Wittow, WSBA #18280 Attorneys for Special Counsel for Receiver 925 4th Ave., Suite 2900 Seattle, WA 98104 Telephone: (206) 623-7580 Facsimile: (206) 623-7022 Email: mark.wittow@klgates.com

17 **ORDER**

18 Now, therefore, it is hereby ORDERED as follows:

19 1. The above stipulation (the “Stipulation”) is approved.

20 2. The clerk shall note upon the record the full satisfaction of the two
21 judgments entered in favor of H&L and Clinton.

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1 3. The custodial receivership of the estate property, consisting of the
2 Recordings, is terminated.

3 4. The Receiver is hereby discharged as the custodial receiver of the
4 Recordings. The Receiver is hereby divested of all rights, title, and interest in the
5 copyrights of the Recordings.

6 5. All rights, title, and interest in the Recordings and the copyrights vested
7 in the Receiver by the Court, including under the November 27, 2012 Order Appointing
8 Receiver and Authorizing Sale of Copyrights (Doc. 62) and the October 30, 2015 Order
9 Granting In Part Motion for Rule 70 Relief and Contempt Sanctions (Doc. 155), are
10 hereby re-vested in George Clinton. Any lien on the Recordings created by the Court is
11 hereby terminated.

12 6. This Court's June 25, 2015 Order Compelling Turnover of Master
13 Recordings (Doc. 136) is hereby vacated. The Barack Obama Green Charter High
14 School Foundation is released from any obligation to respond thereto.

15 7. The Receiver is discharged pursuant to RCW § 7.60.290 and fully
16 released from any and all claims related to this Receivership.

17 8. The Receiver's bond is hereby exonerated.

18 9. The funds held in the Trust Account shall be distributed pursuant to the
19 above stipulation. No further compensation shall be allowed to the Receiver and his
20 professionals pursuant to RCW § 7.60.180.

10. The Court hereby concludes its administration of the copyrights of the Recordings.

DATED: May 18, 2017.

Mrs Casnik

Robert S. Lasnik
United States District Judge

Presented by:

BUSH KORNFELD LLP

By /s/ Katriana L. Samiljan

Katriana L. Samiljan, WSBA #28672
Attorneys for Gayle E. Bush, Receiver

Approved as to Form; Notice of
Presentation Waived:

BOOTH SWEET LLP

Approved for signature by telephone on May 17, 2017

By /s/ Dan Booth

Dan Booth (MA Bar No. 672090)

Attorneys for Defendants

Admitted Pro Hac Vice

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1 ///
2 ///
3 ///
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5 Approved for signature by email on May 16, 2017
6 By /s/ Katherine Hendricks
7 Katherine Hendricks, WSBA No. 14040
8 Attorneys for Plaintiff Hendricks & Lewis PLLC
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14 K&L GATES
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16 By /s/ Mark H. Wittow
17 Mark H. Wittow, WSBA #18280
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STIPULATION AND AGREED ORDER – Page 6

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